



2016

# Idaho Forest Practices Year-End Report



*Developed and Submitted by*

***Gary Hess***

Forest Practices Program Manager

Forestry Assistance Bureau



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## 2016 Forest Practices Year-End Report

### Preface

The Idaho Department of Lands' (IDL) vision is to “be the premier organization for trust management and resource protection in the western United States.” We believe the demonstrated 2016 Forest Practices Rule compliance results detailed in this report show that IDL continues to advance that vision. With the help of our resource management partners, sister agencies, and engaged Idaho citizens, we continue to promote active forest management in Idaho while enhancing the health and resilience of Idaho’s natural resources.

The Idaho Forest Practices Act (Idaho Code §§ 38-1301 through 38-1313) and the Idaho Forest Practices Act administrative rules: (Rules Pertaining to the Idaho Forest Practices Act, IDAPA 20.02.01) were developed and are modified to promote active forest management, enhance the ecological and social benefits derived from Idaho forestland, and maintain and protect vital forest resources. The Best Management Practices (BMPs) defined within the administrative rules (FPA Rules) are designed to protect water quality, wildlife habitat and forest health while enhancing tree growth and vigor. These rules are the approved forestry BMP’s for meeting Idaho Water Quality Standards (IDAPA 58.01.02, paragraph 350.03.a). They provide assurance to the Idaho Department of Environmental Quality (IDEQ) and the Environmental Protection Agency (EPA) that Idaho is meeting the water quality standards prescribed for *forest practices* such as; harvesting, burning, planting, and the transporting of forest products.

IDL is statutorily charged with administering the Forest Practices Program and ensuring the associated FPA Rules implementation. The program is administered by the IDL Bureau of Forestry Assistance.

At the beginning of each year, the IDL Forest Practices Program Manager compiles and analyzes data from the previous calendar year. These data are then translated into actionable information and made available to land managers, forestry professionals and other interested parties. This information describes the overall picture of forest practice activities on *private* and *state* forestland. For this report, private forestland includes industrial and nonindustrial forestland and may include county or municipal forestland. State forestland includes all endowment and other state owned land where forest practices are administered by IDL.

IDL has a Memorandum of Understanding (MOU) with the Idaho Department of Water Resources (IDWR) regarding stream channel alterations. This MOU grants IDL the authority to permit and inspect specific stream-channel crossing structures installed as part of a defined forest practice. Each year the IDL Technical Services Bureau consolidates details of Stream Channel Alteration Permit (SCAP) activities on private and state land. This activity is reported to IDWR in accordance with the MOU.

The Idaho Forest Practices Act Advisory Committee (FPAAC) is the body of professionals and concerned citizens charged with providing direction and leadership for new and revised FPA administrative rules. FPAAC is comprised of nine voting members from across the state of Idaho that represent family and industrial forest owners, fisheries biologists, citizens at large, and logging operators. There are also a number of ex officio members representing IDEQ, the US Forest Service and various technical specialties.

IDL spent the year 2016 improving data entry and other issues which will contribute to more accurate reporting moving forward. The 2016 Quadrennial Water Quality audit was also completed last year and the results released in early 2017. IDL Forest Practices Program Manager Gary Hess wishes to express his gratitude to Amber Honsaker for the many hours devoted to the data entry that makes this report possible and to Hawk Stone with IDEQ for a productive field season on the quadrennial audit.

## Introduction

Forest practice inspections are conducted by IDL Private Forestry Specialists (PFSs) and part-time inspectors who assist the PFSs. During inspections, detailed, comprehensive, inspection observations are recorded and then submitted to the Forest Practices Program Manager (FPA PM) for entry in the Forest Practice Inspections Database. The database provides most of the data and information contained in this report along with summaries of inspections completed during a given month. The FPA PM distributes a monthly Forest Practices Report. This monthly report identifies unsatisfactory findings from inspections of commercial harvest operations.

Every four years, IDEQ conducts a water-quality audit to monitor the efficacy of FPA Rules in recently completed Class I stream-vicinity harvest operations. The 2016 audit examined 63 operational areas on industrial private, nonindustrial private, state, and federally managed forestland. Typically only 45 sites are selected, but this year 20 additional sites were added as re-visits from the 2012 audit to determine how well rule compliance provides water-quality protection in the out-years after harvest completion. The 2016 audit revealed that implementation rates remain high (96%) but are lower than the 2012 audit (98%). The 2016 and 2012 audit reports are posted at: <http://www.idl.idaho.gov/forestry/fpa>.

Before commencing any rule-defined forest practice (commercial or non-commercial), an *Operator* who is responsible for forest practice implementation must file a Forest Practice *Notification* with IDL. When harvested wood will be used *solely* for the landowner's/harvester's *personal use*, a Notification is *not* required. If a commercial operation has the potential to generate a slash hazard, a *Fire Hazard Management Agreement (Compliance)* must also be submitted and signed by the *Contractor*. The Contractor is responsible for slash management rule compliance. Slash hazard mitigation on commercial operations must be inspected and a *Clearance* issued following harvest and site-preparation operations. The Notification and the Compliance are on a double-sided, single-page form that requires signatures from both the Operator and the Contractor. Copies of the signed document are sent to the landowner listed in county tax records, the County Assessor's office in the county in which the operation occurs and the purchaser. Because all forest practices require a Notification regardless of hazard management implications, this report refers to the form as a Notification.

Once the Forest Practices Notification is accepted by the local IDL Office, the PFS begins the process of scheduling on-site inspections. Inspections may be performed multiple times on the same operation, depending on the observed site conditions or upon request of the Operator or Landowner. To ensure that IDL places the greatest emphasis on protecting water quality, the IDL PFSs prioritize inspections based in part on a concise risk assessment. Higher priority is given to operations containing Class I (fish-bearing or domestic use) streams, followed by operations containing Class II streams. Notifications that indicate presence or adjacency of a Class I stream will prompt the PFS to conduct inspections at a higher frequency. Depending on the characteristics of any particular operation, PFSs may use other site-specific attributes to prioritize inspections. These attributes include unstable or highly erodible soils and slopes

greater than 45% in gradient. PFSs place the highest inspection priority on notifications with the highest potential for FPA related issues. The objective of the Idaho Forest Practices Act is to protect water quality.

In late 2014 IDL introduced a new process for issuing notifications and for FPA inspections on IDL-managed, state-owned forestland in a manner consistent with inspection methodology on private land. Previously state timber sale activities were issued Notifications, but starting with the fourth quarter of 2014 IDL transitioned to a process where all state forest management activities are issued Notifications for defined forest practice activities (e.g. spraying, pre-commercial thinning, etc.). PFSs are to conduct inspections on state forestland with the same frequency and methodology used to inspect operations on private forestland. This report provides data on inspections conducted by PFSs on state-managed Forest Practice operations. Similar to private forest industry, contractual inspections conducted by IDL forest managers on IDL sales are tracked separately by the IDL Forest Management Bureau. IDL's intention is to collect and report on Forest Practices inspection data on state forestland consistent with the way it is accomplished for private forestland.

Under the FPA Rules, IDL may grant a *variance* when an Operator demonstrates that variance from a Forest Practices Rule will result in no additional resource degradation and the variant action is necessary to successfully complete the forest practice. A variance is only granted when it is shown the non-compliant activity and potential mitigation will result in equal or better resource protection than operating within full compliance with the rules. Each variance request is carefully analyzed by an IDL PFS. A final decision regarding the granting of a variance is made by the IDL Area Manager after consulting with the PFS. Some requests for a variance are denied and others are withdrawn by the applicant after they learn that additional practices, which may be required by the IDL in order to provide greater resource protection, may make the variance less attractive than full compliance with the rule.

This report provides detailed data on:

- Forest Practices Notifications on Private and State Forestland
- Individual Operations Inspected
- Frequency and Location of Inspections
- Rule Compliance
- Attributes of Inspected Operations
- Notices of Violation
- Complaints Made to IDL
- Variances
- Stream Channel Alteration Projects

Highlights of the above items and conclusions are presented in the following Executive Summary. Bar charts by category are presented in the body of the report.



## Executive Summary

Operations inspected on state and private forestland in 2016 are **97.8%** compliant with administrative rules (FPA Rules). The Idaho Forest Practices Act (1974) encourages sustainable forest management on Idaho forestland. Inspections demonstrate a continued high level of care and stewardship by Idaho forest managers and loggers during harvesting operations. In 2016, the quadrennial Forest Practices Water Quality Audit led by the Idaho Department of Environmental Quality (IDEQ) was completed. The purpose of this quadrennial audit is to determine the efficacy of FPA rules on Idaho State and private timber harvest operations and related forest practices and of Best Management Practices (BMP) detailed in forest management plans on federally-managed timber sales. The IDEQ audit found an overall compliance rate with FPA Rules of 96% across all ownerships consistent with previous audits, in the 90<sup>th</sup> percentile. Industrial and federal sales exhibited a compliance rate of 97%, state sales 96% and nonindustrial, private sales 95%. Monitoring indicates the 50 state average implementation rate is 91% (including those states without formal programs). It is indeed noteworthy to achieve these rates across so many different ownership classes, locations and protection standards. Data regarding these achievements in 2016 are provided in comprehensive detail in this report.

### Forest Practices Notifications on Private and State Forestland

The number of Forest Practices Notifications accepted for operations on both state and private forestland show that timber-management activity rose in 2016 with **2,506** accepted notifications. This is a 2.5% increase from 2015. There were **2,357** private Notifications and **149** state Notifications. The BMP implementation rate of 97.8% across all forest practices this year is similar to the 2015 rate of 98.2%.

### Individual Operations Inspected

A total of **1,454** inspections were conducted on **1,228** operations in 2016. This is a 3% decrease in distinct operations inspected (49% of Notifications) over calendar year 2015 (52.2% of Notifications). IDL has a goal of inspecting 50% of active Notifications in any one calendar year. In fact, this is a Key Performance Indicator (KPI) for each Supervisory Area. At least one unsatisfactory finding (or misdemeanor violation) was noted on **27** distinct operations (2.0%) vs. 25 operations (1.8%) in 2015. On state forestland, **57** of **149** operations were inspected for an inspection ratio of 38.3%.

### Frequency and Location of Inspections

Inspections occurred in every IDL Supervisory Area with Eastern Idaho and Southwest having the fewest (2 and 33 respectively) and Pend Oreille Lake, Mica and St Joe with the most (405, 301, and 206 respectively).

## Notices of Violation

A Notice of Violation (NOV) is issued when repeated unsatisfactory conditions and/or severe resource degradation are observed during an inspection. An NOV can also be issued if an operator fails to perform the prescribed mitigation for an unsatisfactory condition within the time frame given by IDL. In 2015 seven NOVs were issued. ***In 2016 only one NOV was issued.*** This number is more consistent with past years than that in 2015 (See *Figure 9*).

## Looking Forward

In 2016, 57 state operations were inspected which is a 43% increase over 2015. There were 149 Notifications issued for state operations (28% increase). The ratio of inspected state operations is still low at 38% compared to the 49% overall operations inspected. This smaller ratio might be an artifact of the relatively small number of state managed forest practice operations (6% of all Notifications) or a difference in how Notifications associated with indirect harvest activities like planting, herbicide application or road construction are accomplished between state and private industry. Although 57 total inspections on state managed operations revealed no unsatisfactory findings, IDL's goal is to inspect private and state operations in a consistent manner (50% of all operations). This will be one of the topics included in a calibration exercise to be conducted with all PFSs during the 2017 field season. Calibration topics will also include emphasis on areas identified in the 2016 Quadrennial FPA Water Quality Audit conducted by IDEQ.

In 2016 the Idaho Forest Practices Act Advisory Committee (FPAAC) continued to review the Streamside Shade Retention rule assessment activities conducted by IDL and IDEQ. The IDL Technical Services Bureau will monitor Class I Stream Protection Zone (SPZ) harvests again in 2017 to assess how landowners are implementing the rule adopted in 2014. IDEQ will continue the Streamside Shade Effectiveness Study with the assistance of the University of Idaho to determine the degree of shade reduction which occurs when SPZs are precisely harvested to the rule limits. These activities are part of the adaptive management strategy of IDL in advising the FPAAC in their decision making and a testament to the commitment of IDL to pursue science-based regulatory actions.

The success achieved in implementing the Idaho Forest Practices Act rests with the collaboration and dedication of many individuals, organizations and the sound science supporting the rulemaking. Idaho's high level of forest practice BMP Implementation is achieved and maintained as the result of many contributing factors. The participation of most of Idaho's larger industrial forestland owners in forest certification systems (either *Sustainable Forestry Initiative* (SFI) or *Forest Stewardship Council* (FSC)) has a very positive influence on compliance rates. These industrial forest landowners strive to remain in full compliance with both the FPA Rules and the standards set forth by their certification organizations. The same can be said for the state endowment land managers. Programs like the *American Tree Farm System* provide a similar role on the nonindustrial side. The dedication shown to resource protection by Idaho's state, industrial and nonindustrial stewardship forestland managers while practicing sustainable timber harvest is remarkable and encouraging. Our challenge is to





improve outreach to nonindustrial members of our communities involved in timber production to better educate themselves and/or their operators on the importance of Idaho's BMPs to maintaining and enhancing Idaho's water quality.

## Forest Practices Notifications on Private and State Forestland

A total of **2,506 Notifications** were accepted statewide in **2016** for operations on **private and state forestland**. This is a 2.5% increase from the 2,446 Notifications submitted in 2015. *Table 1* below shows the number of Notifications accepted from 2007 through 2016. The Notifications data are listed by IDL **Fire Protection Districts** (not by IDL Supervisory Areas). With continued, relatively high sawlog prices, IDL should expect a similar number of Notifications next year. The increased activity over previous years has led to an increased workload for PFSs.

**Table 1.**

2007 to 2016										
Forest Practices Notifications/Hazard Management Agreements (Compliances)										
Fire Prot. District	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Priest Lake	109	75	39	49	42	40	43	39	33	43
Kootenai Valley	336	295	111	152	149	168	244	233	207	214
Mica	598	377	195	262	260	216	267	284	279	307
Pend Oreille	884	578	295	408	380	438	521	649	673	706
Cataldo	189	89	60	70	65	81	106	97	132	136
St. Joe	493	321	210	263	340	333	356	452	368	445
Ponderosa	255	157	71	120	121	99	120	141	114	129
Maggie Creek	106	62	27	59	47	41	50	84	184	132
Craig Mountain	120	61	49	72	59	74	50	62	82	36
Southwest	51	21	25	30	30	45	61	41	26	19
Eastern Idaho	16	9	3	7	6	4	5	10	14	6
SITPA	102	46	35	65	63	94	80	78	84	63
CPTPA	<u>259</u>	<u>175</u>	<u>162</u>	<u>233</u>	<u>259</u>	<u>226</u>	<u>257</u>	<u>257</u>	<u>250</u>	<u>270</u>
<b>TOTAL</b>	<b>3518</b>	<b>2266</b>	<b>1282</b>	<b>1790</b>	<b>1821</b>	<b>1859</b>	<b>2160</b>	<b>2427</b>	<b>2446</b>	<b>2506</b>

2007-2015 operations conducted on both state and private forestland.

Table 2 shows the number of Notifications accepted for both state and private entities by fire protection district. In 2016 **149** Notifications were accepted for activities on state land.

Table 2.

2015			
Notifications/Hazard Management Agreements (Compliances) By Type			
Fire Prot. District	2016 Private	2016 State	2016 Total
Priest Lake	34	9	43
Kootenai Valley	207	7	214
Mica	301	6	307
Pend Oreille	686	20	706
Cataldo	129	7	136
St. Joe	415	30	445
Ponderosa	126	3	129
Maggie Creek	124	8	132
Craig Mountain	36	0	36
Southwest	17	2	19
Eastern Idaho	3	3	6
SITPA	56	7	63
CPTPA	223	47	270
<b>TOTAL</b>	<b>2357</b>	<b>149</b>	<b>2506</b>

State and Private Forestland—Notification and Compliance Submissions

A total of **2,357** Notifications were accepted for **private land** for **2016**. These include all *commercial operations, non-commercial operations which generate slash, and cost-shared activities* which constitute a forest practice. Notifications totaled in this private land category include operations conducted on industrial and nonindustrial forestland.

## Individual Operations Inspected

A comparison of operations inspected in 2015 and 2016 is shown in *Figure 1*. There were **1,228 distinct operations** (forest practices) inspected in 2016. Of these 1,228 distinct operations, 1,201 **operations** were satisfactory (in compliance with the FPA Rules) for a BMP implementation rate of **97.8%**. Of the total number of operations, **27** had at least one inspection report in which at least one unsatisfactory condition (rule infraction) was identified. **One** of the 27 unsatisfactory operations had an unresolved unsatisfactory condition from a previous year. On **one** private, nonindustrial, forestland operation, a Notice of Violation (NOV) was issued in 2016 due to failure on the operator's part to implement mitigation. **Seven** of the 26 operations found unsatisfactory in 2016 were on industrial forestland. There were no unsatisfactory inspections conducted by PFSs on state forestland in 2016. Of the **2,506** notifications in 2016, **1,228** of those operations were inspected at least once, so **49%** of all operations were inspected in 2016. This almost meets the IDL statewide goal of inspecting 50% of the operations with a Notification on file. The lower rate in 2016 is likely due to several PFS positions being open for several months in more than one Supervisory Area. On state forestland, **57** of **149** operations were inspected for an inspection ratio of **38.3%**. These data do not include contract inspections conducted by the forester-in-charge of state managed sales. They may also be skewed by Notification-only situations involving herbicide treatment or planting which, unlike private industry, often are conducted outside the harvest Compliance. For the sake of consistency across all ownerships, the Forestry Assistance Bureau will emphasize the importance of PFS inspections of state and endowment operations in the 2017 Summer Calibration exercise. For private operations only, **1,171** were inspected out of **2,357** private notifications for a rate of **49.7%**.

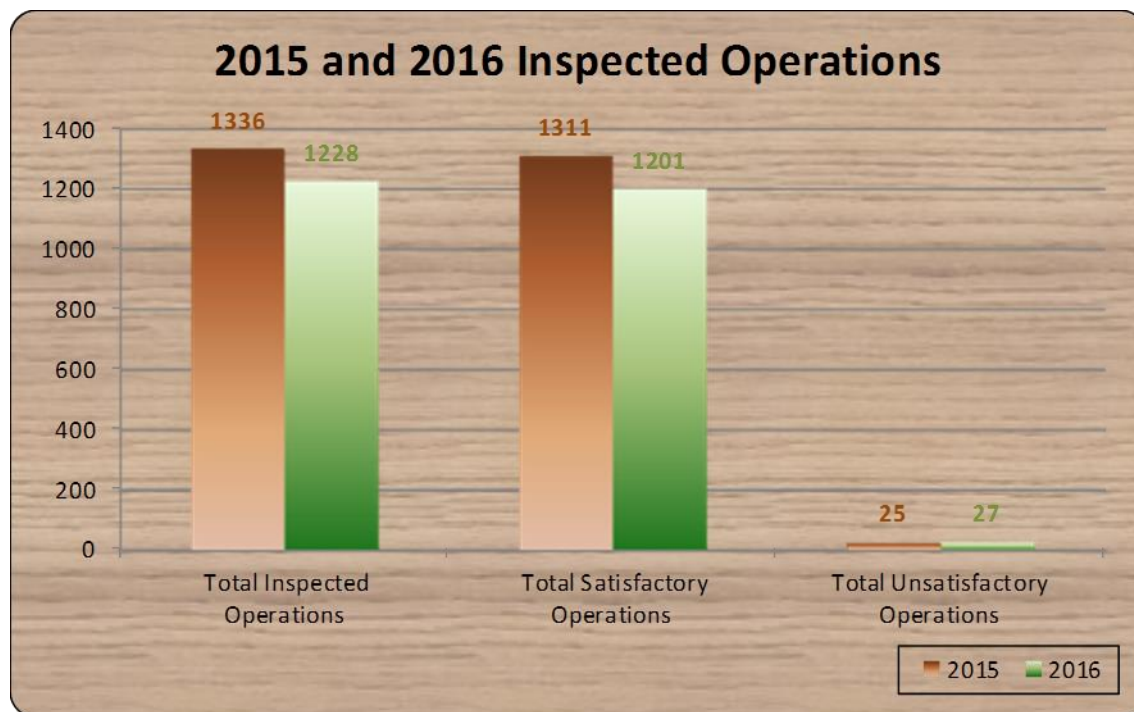
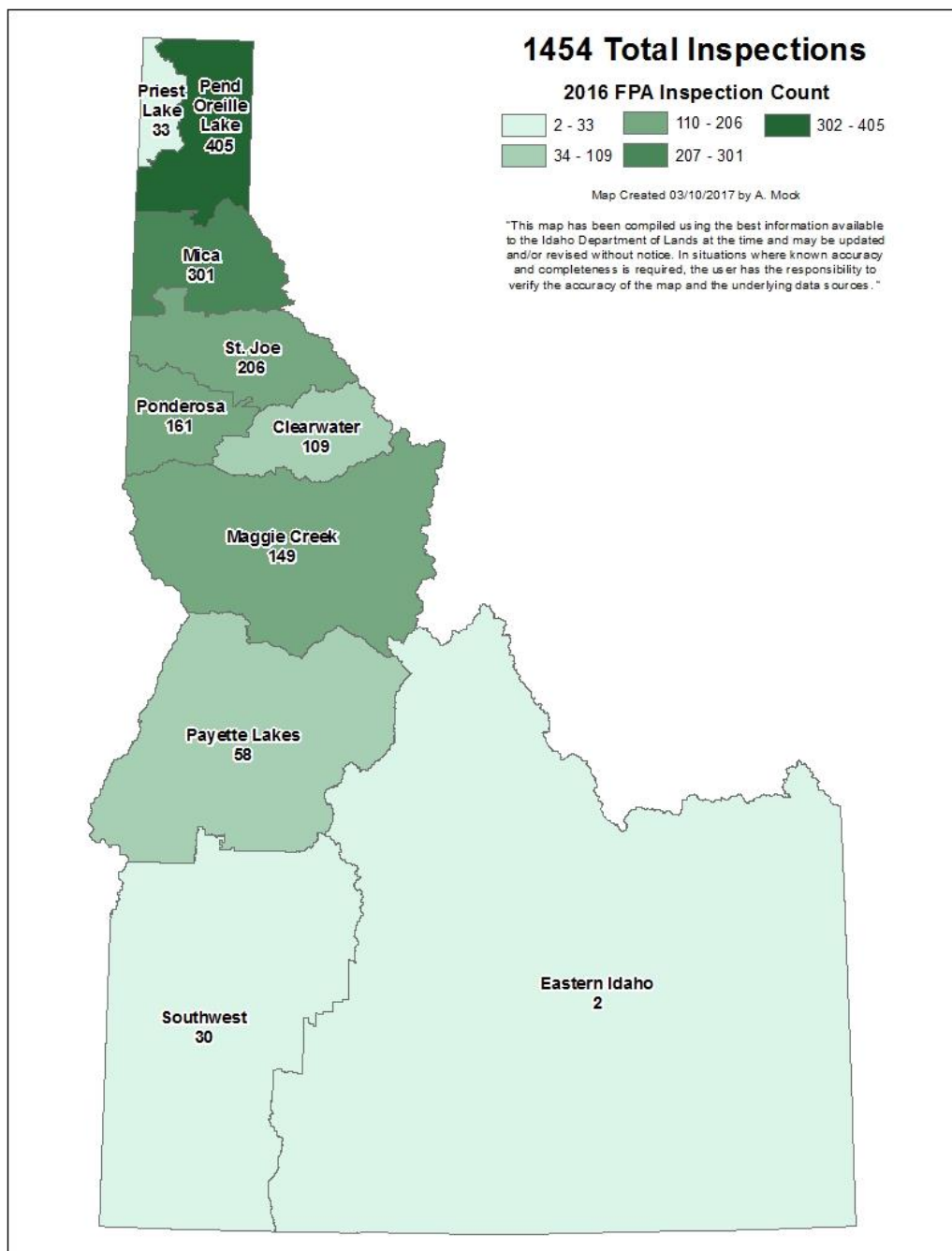


Figure 1 – Comparison of Inspected Operations on State and Private Forestland in 2015–2016.

## Frequency and Location of Inspections

During 2016, IDL PFSs and assistants performed **1,454** total Forest Practices inspections on **1,228** distinct operations of state and private forestland. *Figure 2* shows a spatial representation of all Forest Practices inspections performed in 2016 by IDL Supervisory Area. The total number of inspection reports includes follow-up inspections on the same operation, which results in more inspection reports than operations.



*Figure 2 – Inspections by area.*



*(Note: Many of the 2016 inspections were performed on sites with Notifications submitted in previous years and many of the late-year Notifications did not receive inspections until after the start of 2016. This year-to-year carry-over remains relatively constant over time. IDL consistently reports on the number of inspected operations compared to the total number of private-forestland Notifications accepted in a given calendar year.)*



## Rule Compliance

Figure 3 shows a comparison of the **total** number of 2015 and 2016 Forest Practices **inspections** performed on state and private forestland and the breakdown of those inspections into satisfactory reports (inspection reports indicating compliance with all rules inspected) and unsatisfactory reports (inspection reports indicating an infraction of at least one rule).

The data show, out of the **1,454** total inspections performed in 2016, the number of inspection reports containing all-satisfactory conditions was 1,414 (*Total Satisfactory Inspections*); this demonstrates that over **97.2%** of all **inspections** performed in 2016 were in compliance with the FPA Rules (including sites that were found satisfactory in post-unsatisfactory inspections after they were brought into compliance through remediation). This total number of inspections (1,454) encompasses all inspections, including multiple inspections of the same operation. Within these 1,454 performed inspections, the number of inspections that resulted in reports indicating at least one unsatisfactory condition totaled 40. This is less than 3% of the total inspections performed.

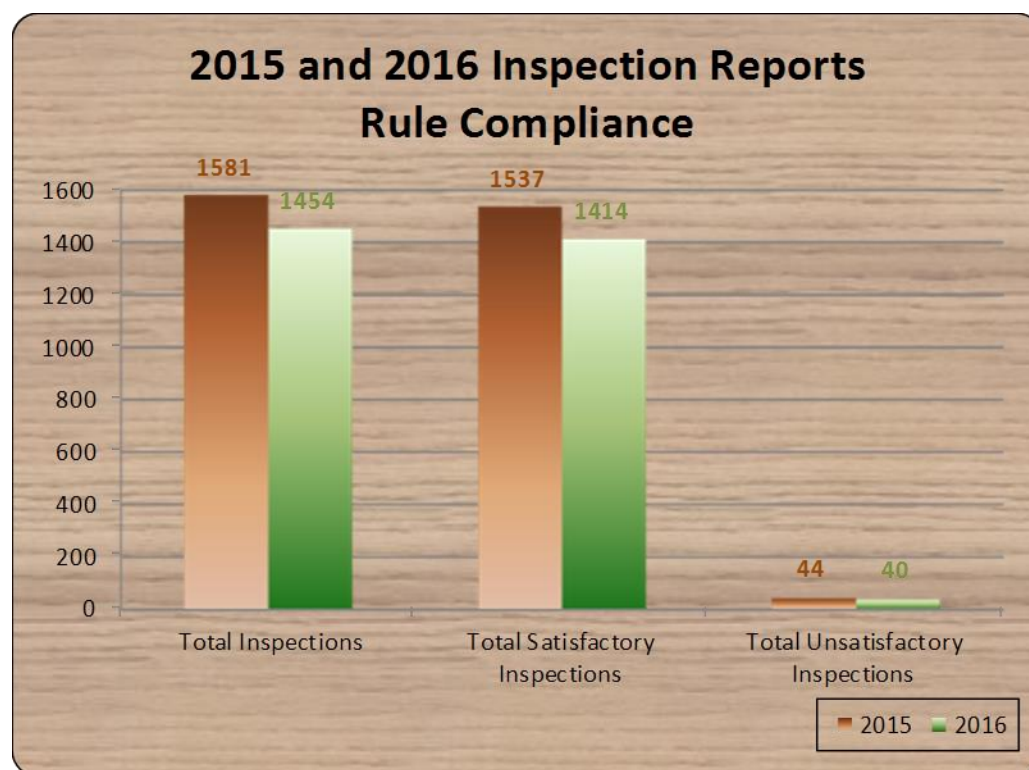


Figure 3 – Comparison of Inspection Reports Rule Compliance in 2015-2016.

Figure 4 shows a comparison of the total number of inspections carried out by ownership category in 2016. In 2016 there were **64** inspections carried out by PFSs on IDL managed timberland. No inspection resulted in an unsatisfactory finding. The total number of inspections conducted on private forestland was **1,390**. Without considering the 64 satisfactory inspection reports conducted on IDL managed land, the inspection report compliance rate on private timberland remains over **97%**.

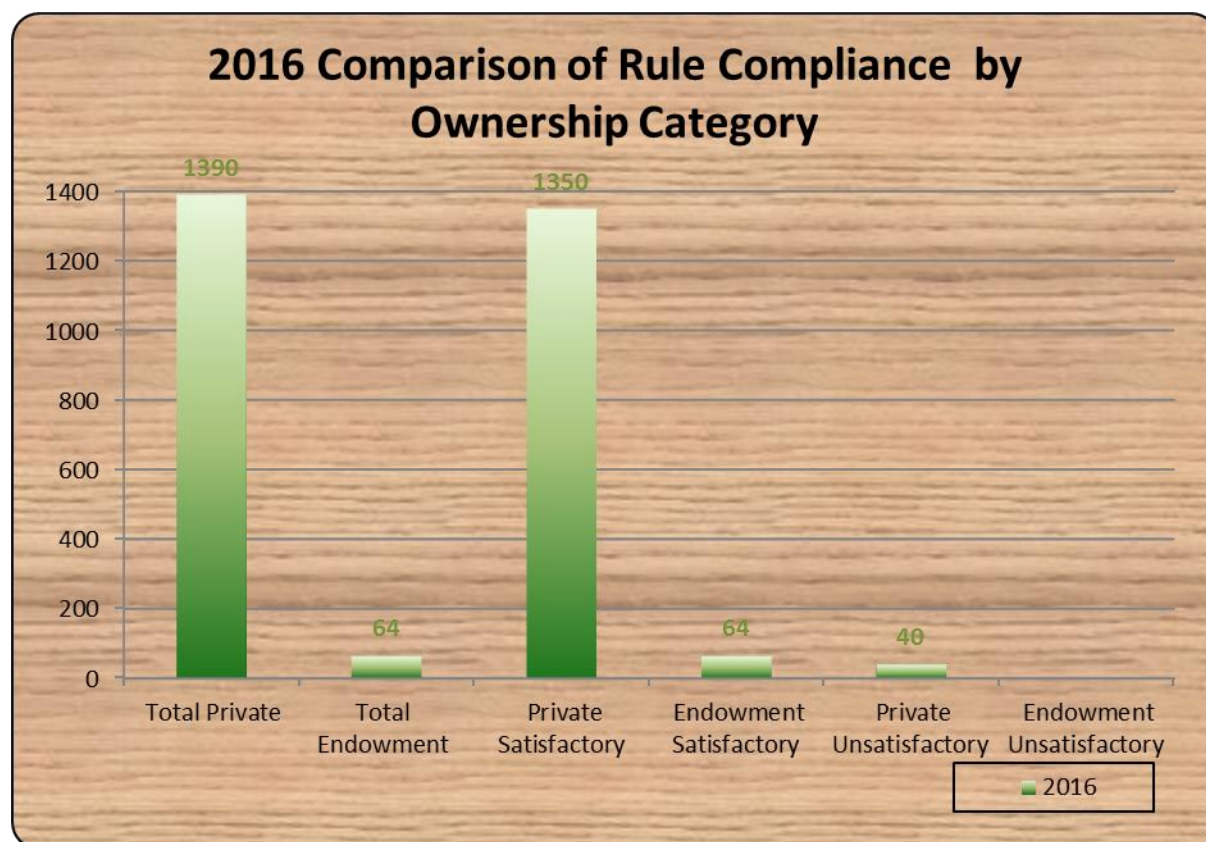


Figure 4 – Comparison of Rule Compliance by Ownership Category in 2016.

Though the inspection ratio of 38% on state forestland is not ideal, state operations inspected by PFSs indicate **100%** compliance. The relatively lower inspection ratio on state operations will be addressed by emphasizing to PFSs the importance of inspecting those operations. Within a few years IDL anticipates rolling out a new enterprise database system that will enable the department to further stratify data and provide additional comparisons so we can better determine where compliance can be improved on all ownerships.

Figure 5 shows the frequency and types of individual rules that were violated in these *unsatisfactory* reports.

(FPA Rules available online at this link: <http://adminrules.idaho.gov/rules/current/20/0201.pdf> )

Within the **40** unsatisfactory inspection reports, there were a total of **110** different rule infractions cited. The most frequently infringed rules were the *Location of Landings and Skid Trails* rules (IDAPA 20.02.01.030.04 - 22% of infringed rules), and the *Stream Protection* rules (IDAPA 20.02.01.030.07 - 19% of infringed rules). The number of *Stream Protection* rules infringed was consistent with 2015 (22), while the number of *Road Maintenance* rules infringed stayed high at (16 vs. 19).

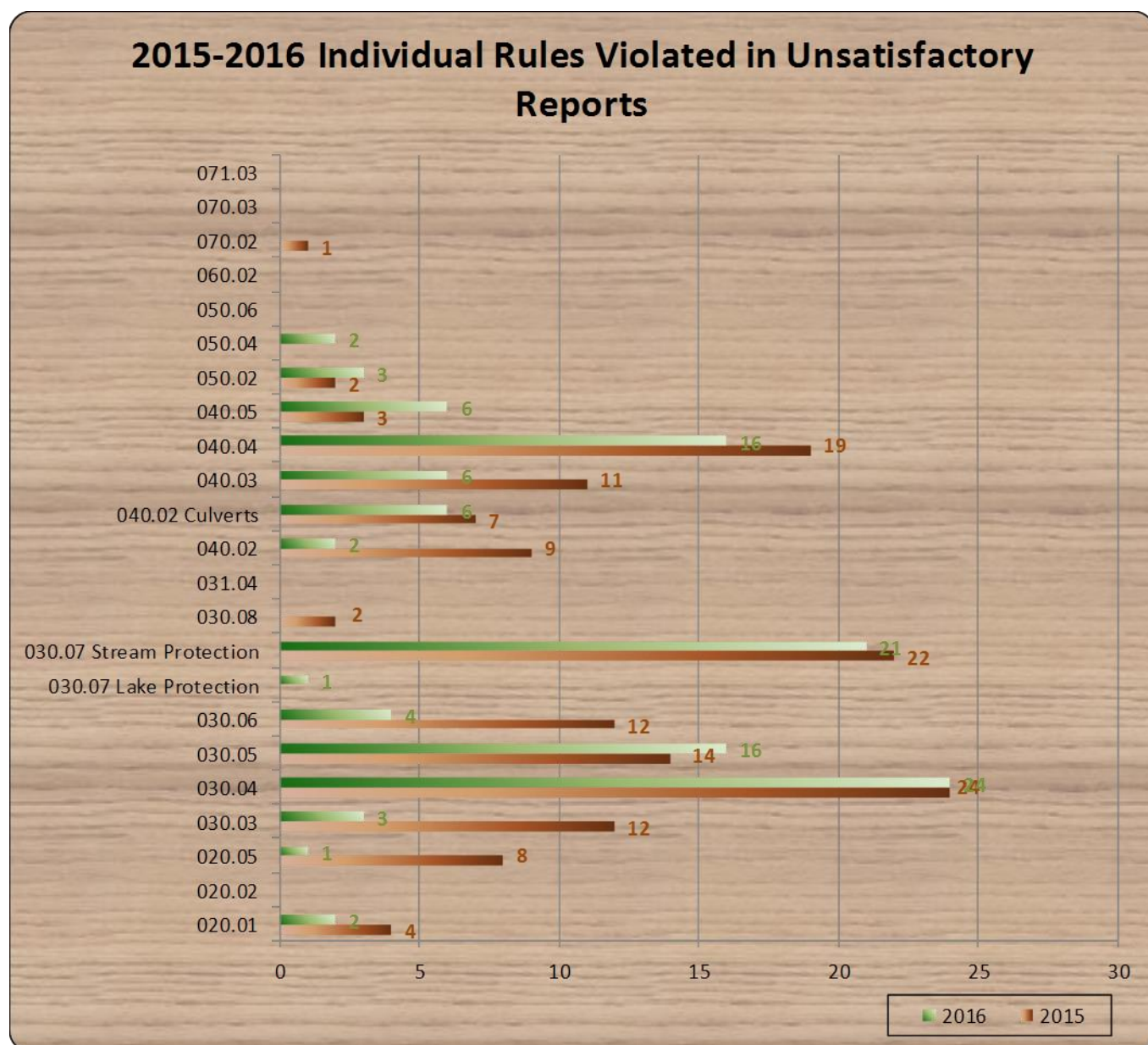


Figure 5 - Comparison of Individual Rules Violated in 2015-2016.



## Attributes of Inspected Operations

Figure 6 shows the number of inspections conducted on operations performed in areas containing (or adjacent to) Class I or Class II streams as well as some of the other attributes used to determine inspection priorities. Of the 1,454 total inspections, 417 (29%) of the operational areas contained at least one Class I stream, and 867 (60%) contained a Class II stream. As these data show, it is not unusual for one operational area to contain both Class I and Class II streams, as well as other attributes. Figure 6 exhibits the specific site attributes of the inspected areas. The highest inspection priority is always given to requested pre-work meetings. IDL believes it is better to identify suitable alternatives to rule standards rather than subsequently observe unsatisfactory conditions in an inspection. IDL would like to conduct pre-operational collaboration with nonindustrial private forestland (NIPF) operators to the extent it does with industry and state operators. Those operators/landowners do not request such collaboration with similar frequency, but it is offered whenever possible.

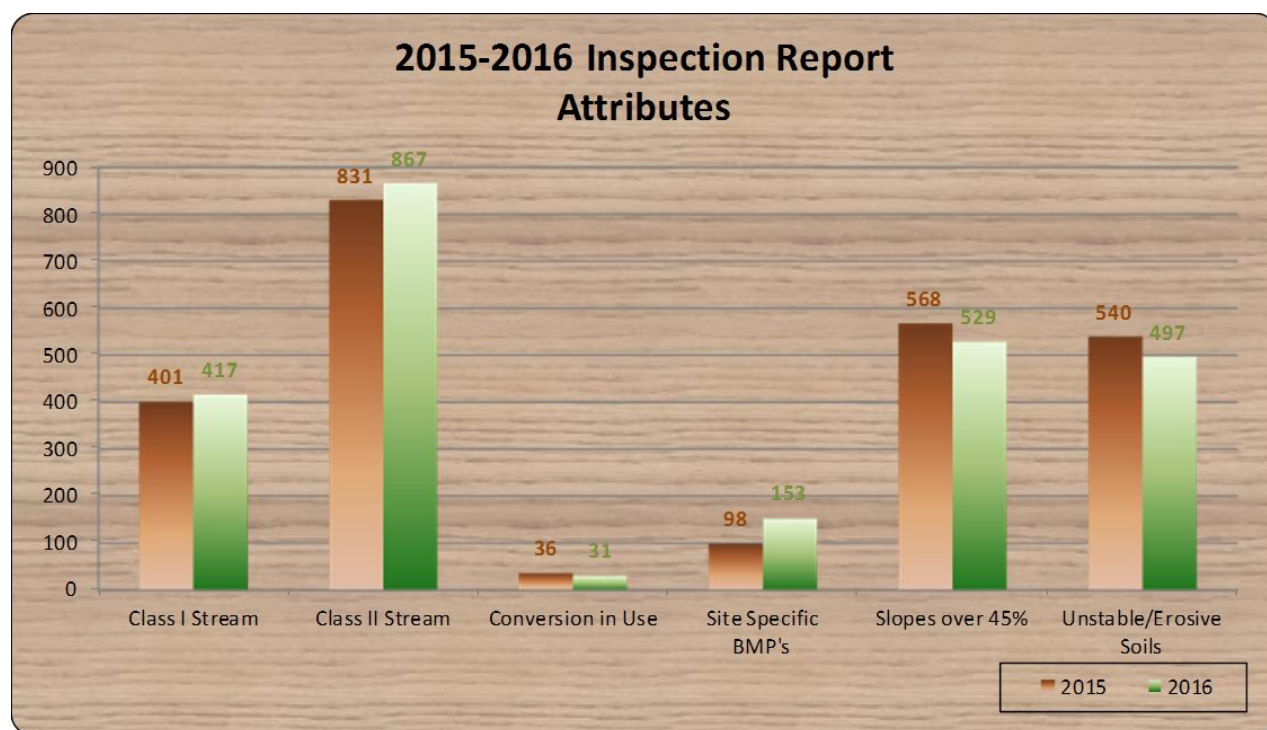


Figure 6 – Comparison of the Attributes of all Inspected Operations in 2015 - 2016.

The intent of conducting FPA inspections on IDL managed state land is to conduct inspections on these properties like inspections are carried out on private land. The first step in achieving that consistency is to select sites for inspection using the same decision process. Figures 7 and 8 depict the Inspected Operations Attributes of the inspections conducted on operations on private land and state land respectively. While the two data sets are very different in size, the distribution by attribute on state land is similar to that on private land in all but one respect. Compared to all operations, state operations in 2016 had a 36% higher Class II to Class I

stream ratio. This may explain the lower state operation inspection rate, if the inspection prioritization matrix has been strictly applied by PFSs.

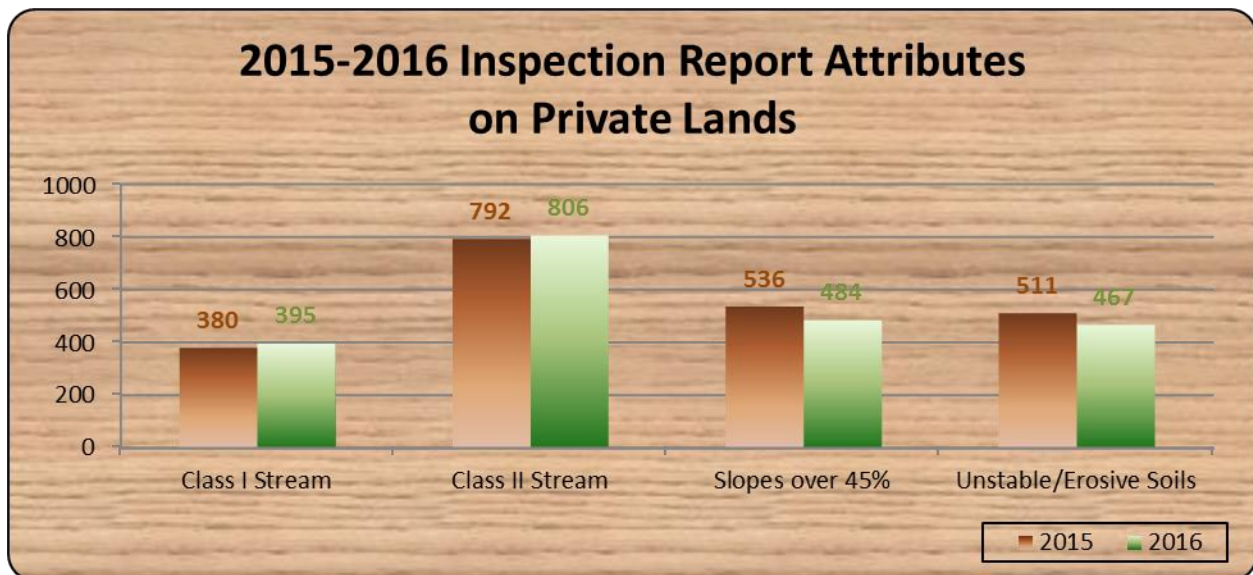


Figure 7 – Inspected Operations Attributes on Private Land

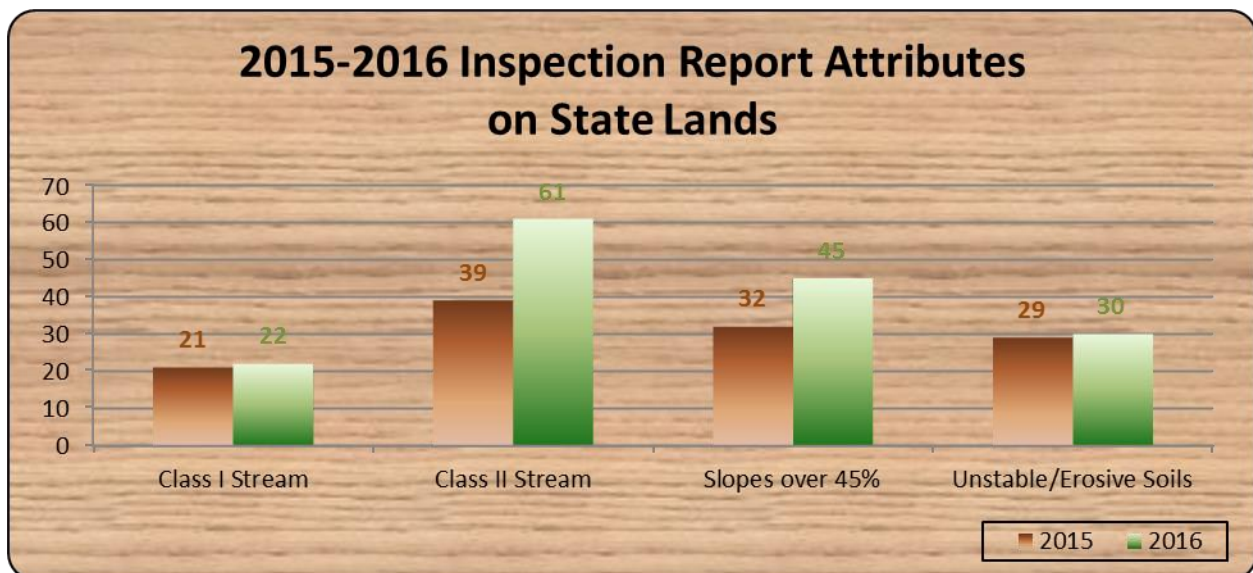
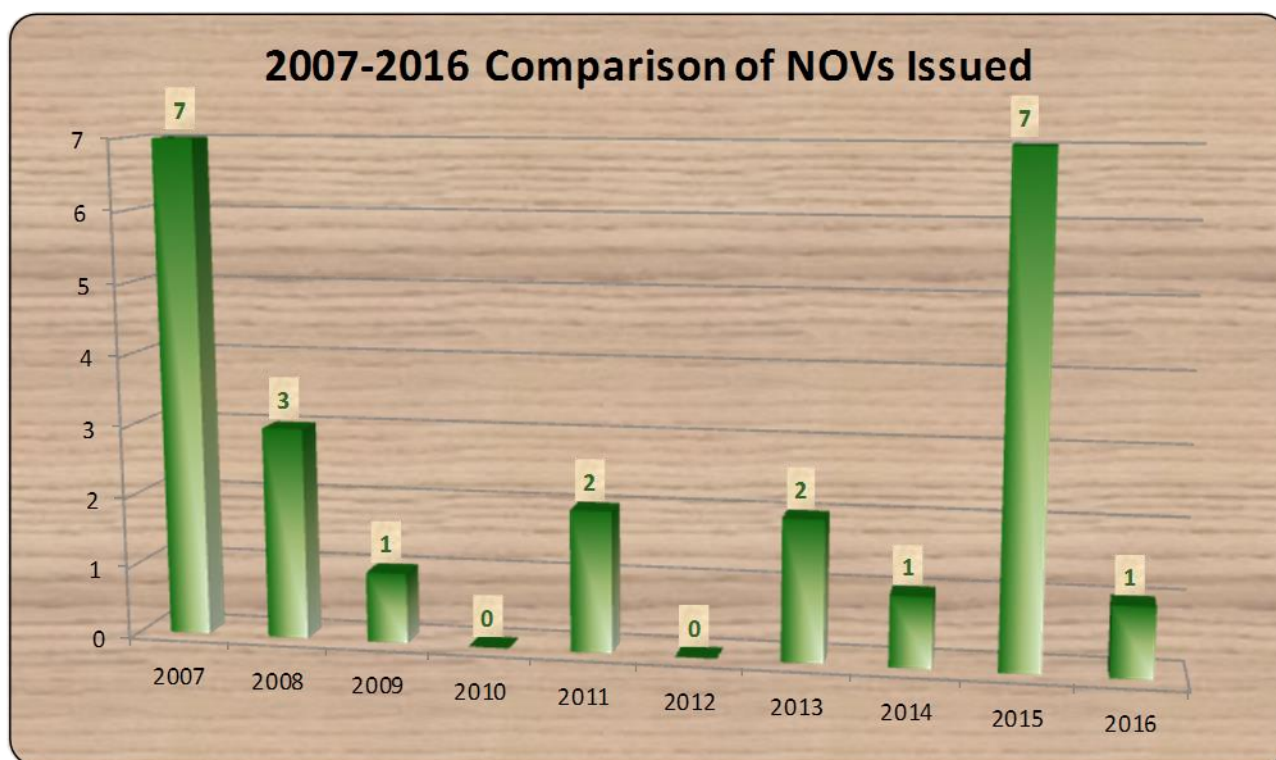


Figure 8 – Inspected Operations Attributes on State (IDL managed) Land

## Notices of Violation

A Notice of Violation (NOV) is issued when repeated unsatisfactory conditions and/or severe resource degradation are observed during an inspection. An NOV can also be issued if an operator fails to perform the prescribed mitigation for an unsatisfactory condition within the time

frame given by IDL. In 2015 seven NOVs were issued. ***In 2016 only one was issued.*** This level of NOVs is consistent with the years 2008 through 2014. The one NOV in 2016 was for a nonindustrial private operation where the operator continued to violate Stream Protection rules and did not provide requested mitigation until intervention from a log purchaser; yet another example of the impact of third party auditing related to Idaho Forest Practices and cooperation among IDL's resource protection partners. *Figure 9* shows the number of NOVs issued per year since 2007.



*Figure 9 – Comparison of NOVs issued from 2007 through 2015.*

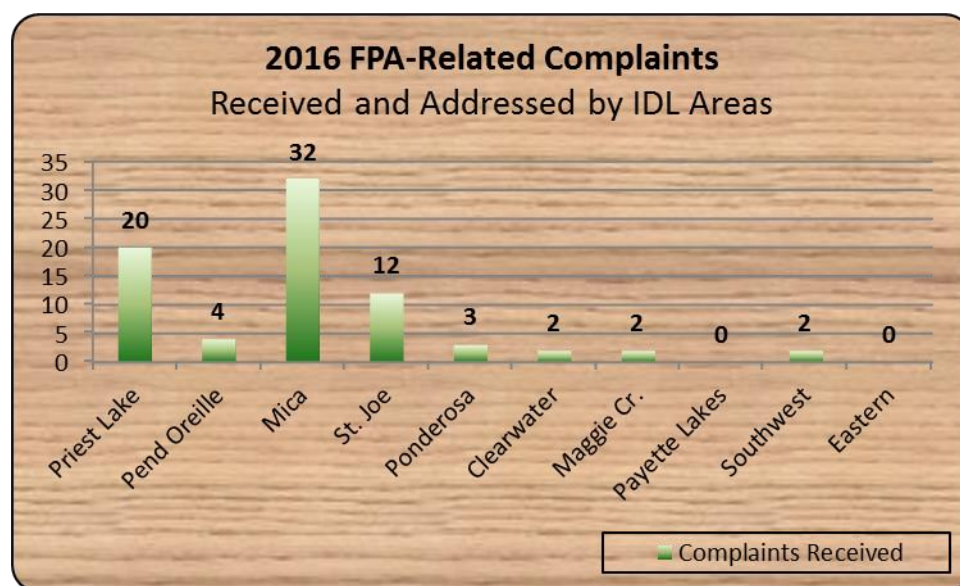
There were 26 unsatisfactory operations without NOVs. Seven industrial and 19 nonindustrial private forest operations received unsatisfactory reports. Most unsatisfactory reports (including industrial) were associated with typical infractions such as ground equipment in the SPZ, locations of landings and trails in SPZs, road maintenance and/or road and trail drainage control and winter operations. Additionally nonindustrial operations had unsatisfactory findings for streamside shade retention (1), violations during mining (1), improper Notification of Forest Practice (1), lake protection (1) and culvert installation. At least 2 of the unsatisfactory nonindustrial operations were associated with development.



## Complaints Made to IDL

When operations commence on private and state forestland, neighboring landowners, individuals from nearby communities or interested organizations occasionally voice concerns or complaints to their local IDL Offices. These complaints are usually addressed by IDL Private Forestry Specialists or Operations Foresters. Complaints range from perceptions of resource degradation to concerns over aesthetics.

The PFSs analyze each complaint and decide whether or not the complaint can be addressed by checking compliance with the FPA Rules; if so, a site visit is usually performed. **Seventy seven** (77) FPA-related complaints were received by IDL Offices (mostly by PFSs) in 2016. **Forty seven** (47) of these complaints were addressed with an in-office explanation (on the phone or in-person); **Thirty** (30) of these complaints required a field, site-visit. The number of FPA-related complaints received by each IDL Supervisory Area is shown in *Figure 10*.

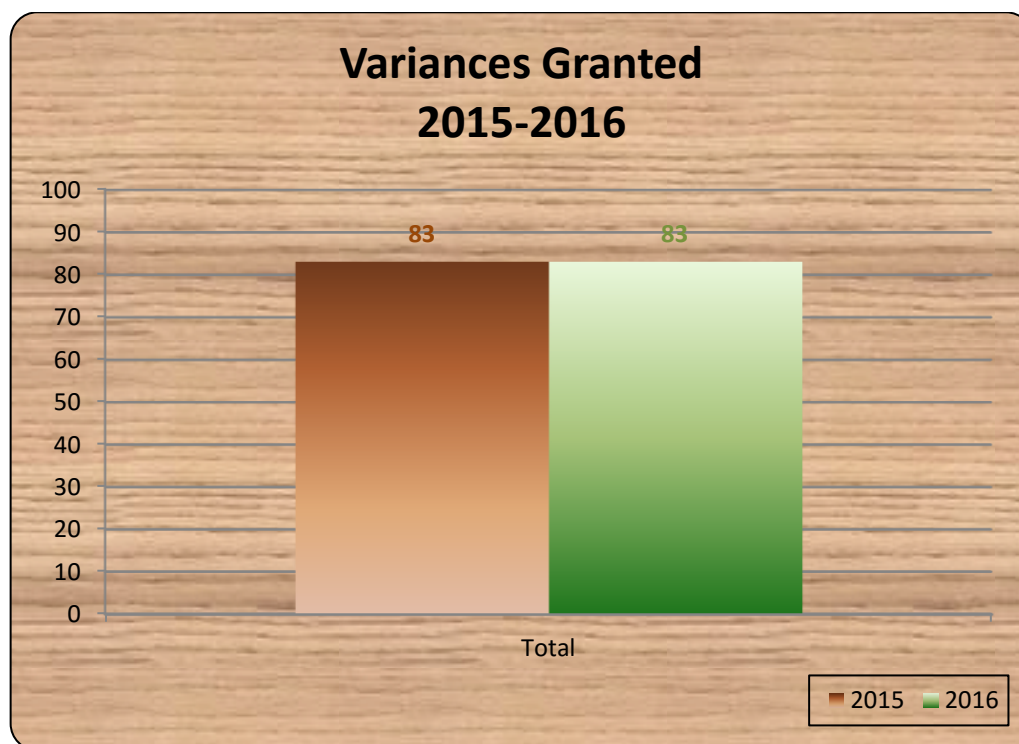


*Figure 10 – FPA Related Complaints received in 2016 by Area.*

While each Area does not track complaints in the same way, there is consistency in year to year reporting among the areas. The overall number of complaints fell significantly from 120 in 2015 to 77 in 2016. Most of the decrease was the 54% decrease in the Mica Area (from 69 to 32) followed by Pend Oreille 64% decrease (from 11 to 4) and Ponderosa 40% (from 5 to 3). St. Joe saw a 33% increase from 9 to 12.

## Variances

Figure 11 shows a 2015-2016 comparison of the number of variances granted statewide. For 2016, 83 variances were issued on all forestland operations (identical to 2015). Out of 2,506 Notifications, variances were granted to 3.3% of all Forest Practice Operations.



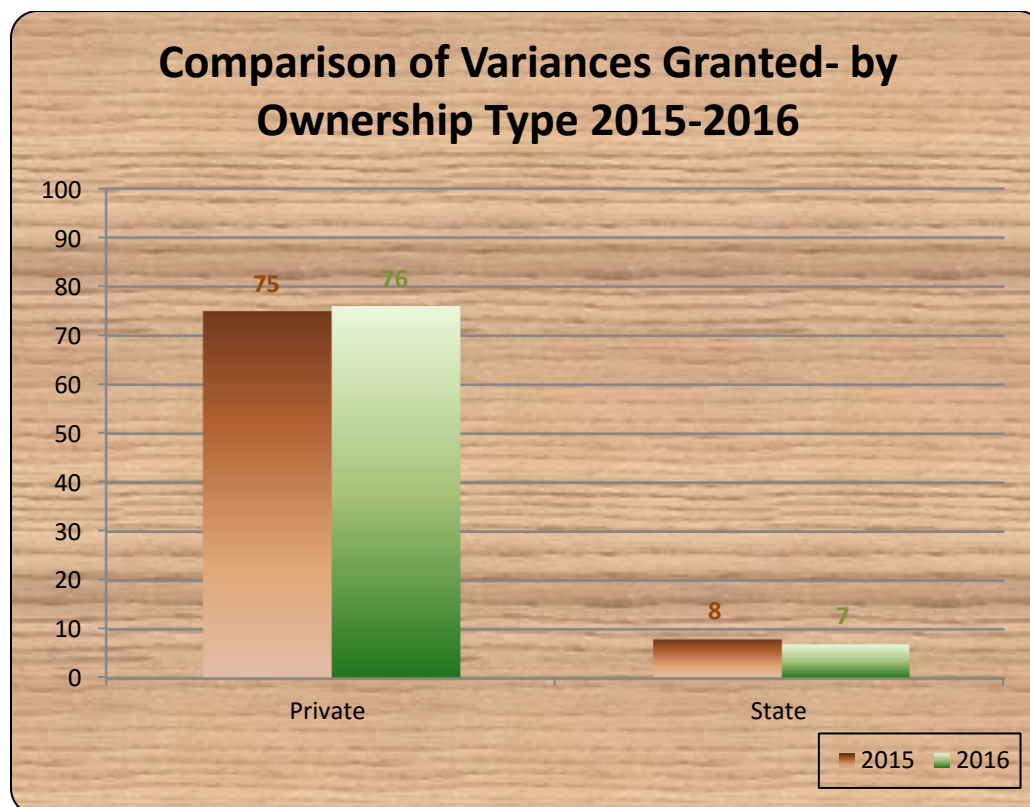


Figure 11 and 12 – Comparison of Variances Granted in 2015-2016 and Comparison of Variances Granted across ownership type.

Figure 12 shows the percentage of variances on state operations in 2016 was about 5% while on private operations it was 3%. It is important to recognize there are far fewer state operations from which to draw a statistically significant conclusion. Also, all variances issued in a Supervisory Area are signed by the same individual – the Area Manager. All variances must meet the “equal or better over the long-term,” protection-criteria. Although variances are often denied for this reason, it is the Area Manager’s responsibility and objective to ensure the criteria are being applied consistently across state, industrial and nonindustrial private ownership.

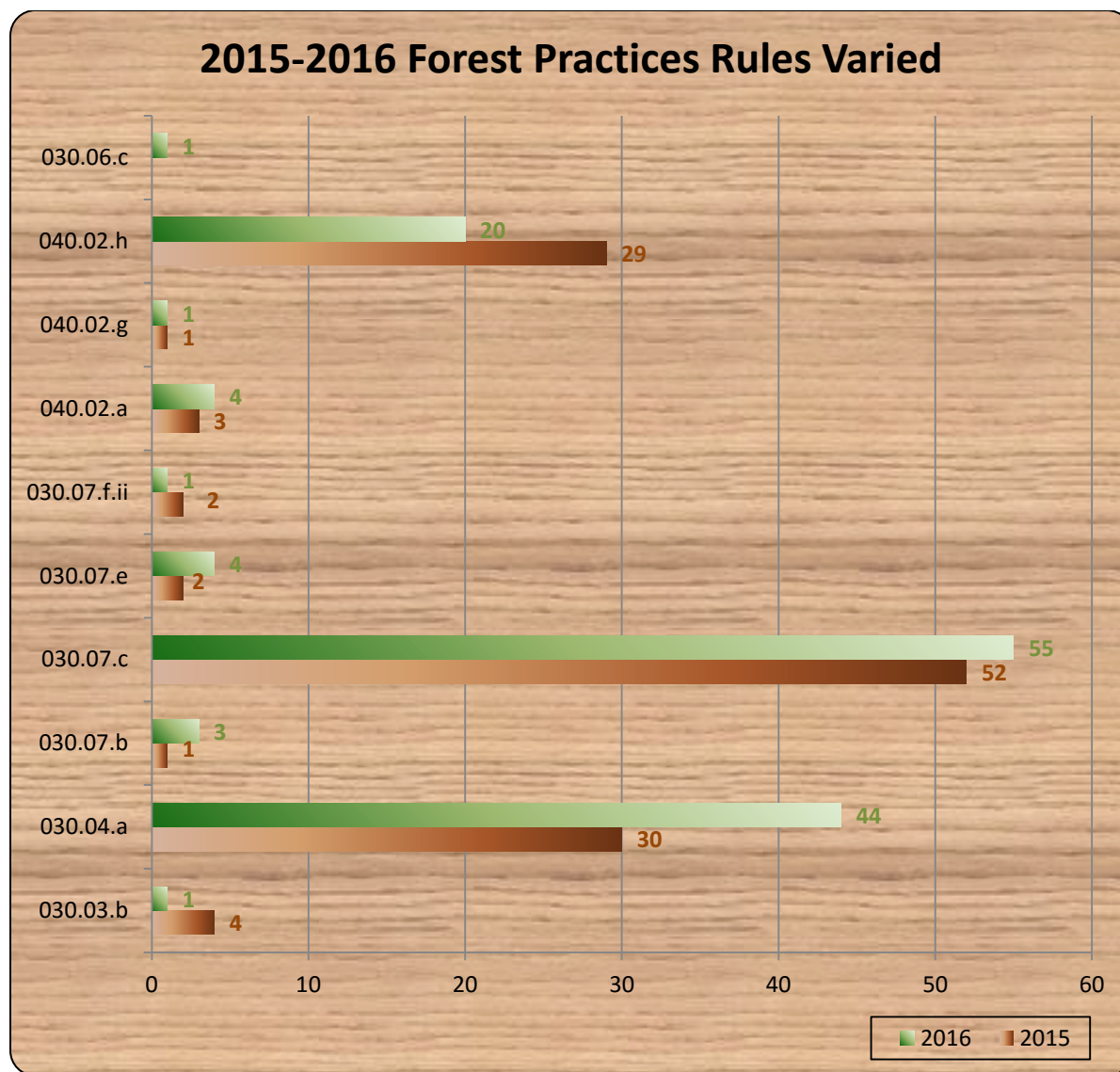
Figure 13 illustrates the types of rules for which variances were granted (See Table 3 for textual rule descriptions). Most requests for variances deal with the use of existing trails or roads within a SPZ. Variances of this nature are only granted if the operator can demonstrate to IDL that use of existing roads or skid trails (within the protected riparian area) are necessary to carry out the operation, that use will result in no additional degradation to the soils, water quality and fish habitat within the watershed, and that use of these trails (or roads) would result in less sediment delivery to streams than constructing new transportation systems outside the SPZ. From year to year there is very little difference in the rules variances are granted for.

(Note: When an activity falls under more than one rule, a variance is granted for each rule where it is appropriate. For example to reopen a road that lies partially within an SPZ the

*operator will need to request a variance from IDAPA 20.02.01.030.07.c (operation of ground based equipment within an SPZ) and from IDAPA 20.02.01.040.02.h (reconstruction of existing roads located in SPZs) for the single activity. The result is a difference in the number of rules varied being greater than the total number of variances granted.)*

**Table 3. FPA Rule paraphrased textual descriptions for Figures 13 and 14.**

<b>Rule Title</b>	<b>Rule Number</b>	<b>Rule Paraphrase</b>
030. TIMBER HARVESTING	030.03.a.	Ground-based equipment on slopes > 45% adjacent to stream
	030.03.b.	Grade of constructed skid trails < 30%
	030.04.a.	Landings, skid trails, and fires trails outside SPZ
	030.06.c.	Waste material deposit outside SPZ
	030.07.b.	Temporary stream crossing
	030.07.c.	Ground-based equipment outside SPZ
	030.07.e.	Streamside shade retention
	030.07.f.ii.	Mechanical piling of slash outside SPZ
040. ROAD CONSTRUCTION	040.02.a.	Road construction outside SPZ
	040.02.g.	Stream crossings
	040.02.h.	Road reconstruction outside SPZ



*Figure 13 – Comparison of Rules for which Variances were granted 2015-2016 across all ownership types.*

*Figure 14* provides a comparison of variances issued on state land with those issued on private land. Even though the number of variances issued on state land was low, it is clear the largest number of variances on all ownerships is for trail or landing use in an SPZ. Despite the relatively small data set, it appears IDL is achieving its objective of meeting the same standard that private forestland managers must attain.

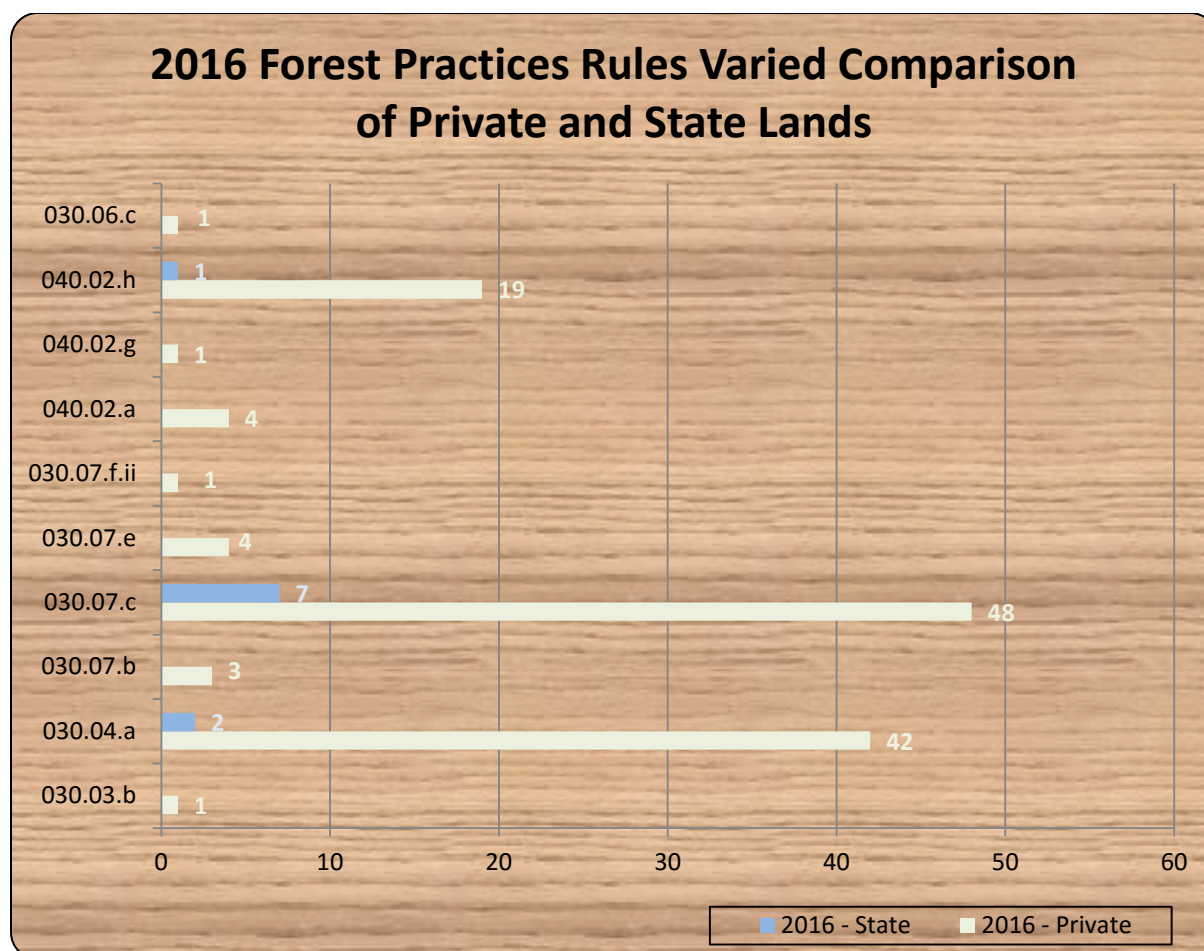


Figure 14 – Comparison of Rules for which Variances were granted between ownership types.

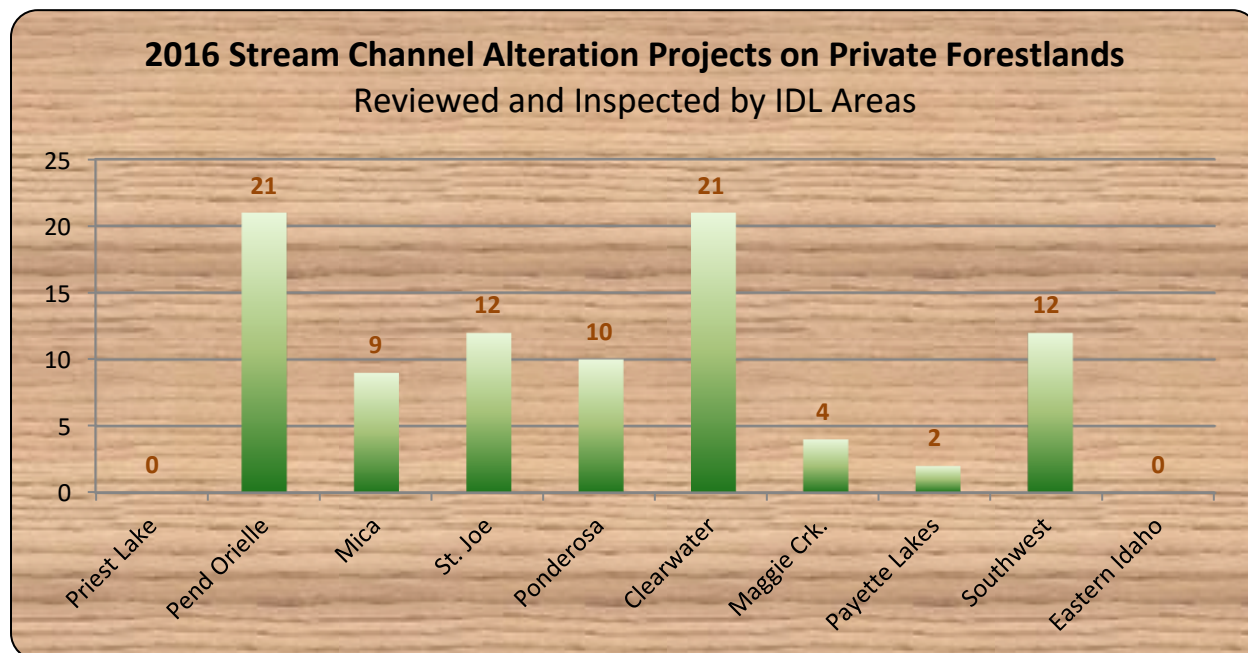
## Stream Channel Alteration Projects Administered by IDL

In accordance with an MOU between IDL and the Idaho Department of Water Resources (IDWR), IDL Private Forestry Specialists have the conditional authority to approve applications for culvert, bridge and ford installations, re-installations and removals on private land. The conditions under which IDL has this authority are; the stream-channel alteration projects are part of a defined forest practice, the stream is perennial, and the stream-crossing structures meet certain size limitations and installation criteria.

**Ninety one** (91) total stream-channel alteration installations/removals were received and approved by IDL statewide in 2016. A project application, submitted to IDL on a supplemental notification form, may contain multiple installations in close proximity to each other (e.g., three culvert installations on one stream segment within one operational unit). The 91 permits accepted in 2016 referenced activity at 91 crossings. Many of these crossings were temporary in nature and were removed at the end of the operation. Several others involved the removal or



replacement of older crossing structures. *Figure 15* shows the number of stream-channel-alteration projects reviewed and administered by each IDL Area Office in 2015.



*Figure 15 – Stream Channel Alteration Permits on Private Forestland by Area.*

Interestingly, Pend Oreille and Mica exchanged roles in terms of quantity of alterations. In 2015 Mica had 25, while Pend Oreille had only 8. St. Joe, Ponderosa and Clearwater were essentially unchanged, while the Southwest Area rose from 4 to 12.

## Conclusion

During 2014 IDL began development of an updated form for use by *Operators* to provide a *Notification of Forest Practices*. After several iterations and reviews the new forms were implemented in early 2016. The changes largely centered on clarifying roles and responsibilities of parties under the FPA and slash hazard management rules, but much effort was devoted to developing an electronic form with drop down menus to increase efficiency. Due to the current numbering scheme and the need for an acceptance signature from an authorized representative of the IDL Director, production of an accepted Notification is only possible at IDL Supervisory Area offices.

Having an educated workforce contributes to sustaining the high levels of compliance we see today. The IDL Forest Practices Program continues to assist University of Idaho Extension and Idaho Associated Logging Contractors with their *Logger Education to Advance Professionalism* (LEAP) training sessions. These sessions have provided targeted education to loggers, enhancing awareness of the FPA Rules and needed compliance with these BMPs. These classes continue to be well attended and up-to-date in addressing current forest-practices issues and rule changes which affect loggers.

During 2017 IDL will continue to present programs explaining the FPA rules and quadrennial audit results at events geared toward IDL personnel, foresters, landowners, and loggers. PFSS will prioritize training and assistance with implementation of the 2014 Class I Streamside Shade Retention rule in their activities.

The updated Idaho Forestry BMP Field Guide developed by the University of Idaho with IDL assistance is complete and widely distributed. This update includes an award winning educational companion video and a new BMP website. The Idaho Forest Products Commission is providing additional BMP educational opportunities throughout the state and developing and hosting BMP education via electronic media.

The success achieved in implementing the Idaho Forest Practices Act rests with the collaboration and dedication of many individuals, organizations and the sound science supporting the rulemaking. Idaho's high level of forest practice BMP implementation is achieved and maintained as the result of many contributing factors. The participation of most of Idaho's larger industrial forestland owners in forest certification systems (either *Sustainable Forestry Initiative* (SFI) or *Forest Stewardship Council* (FSC)) has had a very positive influence on compliance rates. These industrial forestland owners strive to remain in full compliance with both the FPA Rules and the standards set forth by their certification organizations. The same can be said for the state endowment land managers. Programs like the *American Tree Farm System* provide a similar role on the nonindustrial side. The dedication shown to resource protection by Idaho's state, industrial and nonindustrial stewardship forestland managers while practicing sustainable timber harvest is remarkable and encouraging. Our challenge is to improve outreach to nonindustrial members of our community involved in timber production to



better educate them and their operators on the importance of Idaho's BMPs to maintaining and enhancing Idaho's water quality.